

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
December 21, 2010**

The City Council of the City of Gainesville, Texas met in regular session on December 21, 2010 at 6:30 p.m. with the following persons in attendance:

- MEMBERS PRESENT:** Mayor Glenn Loch
Council Members Jim Goldsworthy, Carolyn Hendricks, Philip Neelley, Ray Nichols, Vince Rippey, Beverly Snuggs
- STAFF PRESENT:** Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Bill Harris, City Attorney; Steve Fleming, Police Chief;
- OTHERS PRESENT:** Delania Trigg, Kit Chase, Mary Jarvis, Wayne Twiner, Alan Bryan

CALL TO ORDER

Mayor Loch called the meeting to order at 6:30 p.m. All members of the Council were present.

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend Mark Loewen, First Christian Church, gave the invocation. Mayor Loch led the pledge to the flag.

RECOGNITIONS

Wayne Twiner was recognized as City Employee of the Month for December 2010. Barry Sullivan read and presented a certificate recognizing Twiner's dedication and excellence in providing service to citizens and visitors of the city. Twiner also received a certificate for one day of paid vacation.

Mayor Loch read and presented to Mary Jarvis, City Controller, a Certificate of Achievement for Excellence in Financial Reporting for the City's Comprehensive Annual Financial Report (CAFR) for fiscal year ended September 30, 2009. The award is presented by the Government Finance Officers Association of the United States and Canada to government units whose reports (CAFRs) achieve the highest standards in government accounting and financial reporting.

CONSENT AGENDA

Council reviewed the Minutes of the regular City Council Meeting of December 7, 2010 and approved them as written.

RESOLUTION NO. 12-21-2010 – APPOINTMENT TO GREATER TEXOMA UTILITY AUTHORITY BOARD

A RESOLUTION APPOINTING CLYDE YEATTS TO THE BOARD OF DIRECTORS OF THE GREATER TEXOMA UTILITY AUTHORITY

Clyde Yeatts was recommended and re-appointed to serve on the Greater Texoma Utility Authority Board of Directors. His appointment runs through December 2012.

RESOLUTION NO. 12-21-2010 A – APPOINTMENT TO KEEP GAINESVILLE BEAUTIFUL BOARD

A RESOLUTION MAKING APPOINTMENT TO THE KEEP GAINESVILLE BEAUTIFUL BOARD

Mary L. Davis was appointed to the Keep Gainesville Beautiful Board to replace Melinda Powell who moved out of state. Davis' appointment runs through December 2012.

Councilmember Snuggs **moved to approve the items on the Consent Agenda**, and was seconded by Councilmember Neelley. Motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, and 0 Absent.

FIRST READING OF RESOLUTION REGARDING GEDC DESIGNATION OF ORTEQ ENERGY TECHNOLOGIES AS AN ECONOMIC DEVELOPMENT PROJECT AND GRANT OF REAL PROPERTY AS ECONOMIC INCENTIVE

FIRST READING OF A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH APPROVED ECONOMIC DEVELOPMENT INCENTIVES FOR ORTEQ ENERGY TECHNOLOGIES

Council completed first reading of a resolution approving the decision of the Gainesville Economic Development Corporation in designating Orteq Energy Technologies as an Economic Development Project, and a transfer of approximately fourteen acres of real property at the Gainesville Municipal Airport as an economic development incentive. The GEDC Board of Directors met on December 15, 2010, and approved the economic development project for Orteq. Transfer of the fourteen acres is solely contingent upon City Council approval of the transfer to the GEDC. In exchange, the GEDC is to deed twenty acres at the airport back to the City, and Orteq is to grant to the City a utility easement across the entire southern boundary of its real property contiguous to U. S. Highway 82 currently owned and/or leased by Orteq Energy Technologies or its affiliates. At a future Council meeting, the City Council will consider transferring the approximately fourteen acres at the airport to the GEDC, which the GEDC will grant to Orteq. In accordance with state legislation, the GEDC project must receive two readings by the City Council prior to approval. Second reading of the resolution is scheduled for the regularly scheduled meeting on January 4, 2011.

RESOLUTION NO. 12-21-2010 B – ACCEPTING DONATION OF FIVE TRACTS OF LAND FROM JESSE AND BERNICE CASON IN RICE PARK ADDITION

A RESOLUTION OF THE CITY OF GAINESVILLE, TEXAS, PROVIDING FOR THE ACCEPTANCE OF FIVE TRACTS OF LAND FROM JESSE AND BERNICE CASON LOCATED IN BLOCK 3 OF THE PETER CLARK SURVEY ABSTRACT 232 RICE PARK ADDITION IN THE CITY OF GAINESVILLE, TEXAS, COOKE COUNTY

The City Manager recommended accepting the donation of five tracts of land in the Rice Park Addition from Jesse and Bernice Cason. The lots are near the Pecan Creek Flood Damage Reduction Project and in close proximity to other properties the City already owns in the area. The properties are located in or near the floodplain. Councilman Nichols made a suggestion that the City consider allowing use of the lots for community garden space.

Councilmember Goldsworthy **moved to approve the Resolution**, was seconded by Councilmember Nichols. Motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, and 0 Absent.

RESOLUTION NO. 12-21-2010 C – AUTHORIZE PURCHASE OF THREE POLICE PATROL VEHICLES THROUGH TEXAS ASSOCIATION OF SCHOOL BOARDS LOCAL GOVERNMENT PURCHASING COOPERATIVE BUYBOARD

A RESOLUTION AUTHORIZING A CONTRACT WITH CALDWELL COUNTRY CHEVROLET THROUGH THE TEXAS ASSOCIATION OF SCHOOL BOARDS LOCAL GOVERNMENT PURCHASING COOPERATIVE BUYBOARD FOR THE PURCHASE OF THREE (3) POLICE PATROL VEHICLES

Purchase of three (3) police patrol vehicles was authorized for the Police Department through the Local Government Purchasing Cooperative BuyBoard at a unit cost of \$25,116.00 plus a single BuyBoard fee of \$400.00. Chief Fleming said the department recommends purchase of Chevrolet Tahoes. He said purchase from Caldwell Country Chevrolet through the BuyBoard is the most advantageous to the City because of the lowest quoted price and the ready availability of the vehicles.

Councilmember Goldsworthy **moved to approve the Resolution**, was seconded by Councilmember Nichols. Motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, and 0 Absent.

ORDINANCE NO. 1264-12-2010 - AMENDING CITY CODE SECTION TWO REGARDING BUDGET PREPARATION AND DEVELOPMENT, PURCHASING POLICIES, CITY MANAGER AUTHORIZATION, AND CAPITAL IMPROVEMENT PROGRAM

SECOND READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES, SECTION 2-3 BUDGET POLICIES, OFFICER, FISCAL YEAR; PREPARATION, ETC.; SECTION 2-7 PURCHASING POLICIES AND PROCEDURES; SECTION 2-8 AUTHORIZATION OF THE CITY MANAGER TO EXECUTE DOCUMENTS; SECTION 2-13 CAPITAL IMPROVEMENT PROGRAM; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND MAKING AN OPENING MEETINGS FINDING.

Ordinance amending Section 2 of the City Code of Ordinances was approved and adopted. The City Manager recommended the amendments in order to align with state requirements. In Section 2-3 (budget policies, preparation, development), amendments allow the City to follow State rules for public notices and hearings prior to budget adoption. The specific timeline is removed for the City Council to establish budget policy priorities for the City Manager. The fund reserve requirement is increased to 60 days beginning in Fiscal Year 2012.

Section 2-7 (purchasing policies) amendments raise the threshold for purchases requiring sealed bids to \$50,000. The City Manager is authorized to approve purchases up to \$50,000 without Council approval, but emergency purchases in excess of \$50,000 require the City Manager to inform Council in writing within 30 days of the expenditure.

Amendment to Section 2-8 (authorization to execute documents) clarifies that the City Manager can execute any document approved by Council for his signature; and in Section 2-13 (Capital Improvement Program) amendments raise the value for capitalization of assets to \$15,000; remove the specific timeline for creating the Capital Improvement Program (CIP); and specify that the CIP be provided to the Council annually.

Councilmember Snuggs **moved to suspend the Charter requirement of three readings** and was seconded by Councilmember Neelley. Motion carried by vote of 7 Ayes, 0 Nays, 0 Abstention, and 0 Absent.

Councilmember Snuggs **moved to adopt the ordinance.** The motion was seconded by Councilmember Rippy and carried by vote of 7 Ayes, 0 Nays, 0 Abstention, and 0 Absent.

EXECUTIVE SESSION

Council did not convene into Executive Session.

ADJOURN

With no further business to come before the City Council, the meeting adjourned at 7:03 p.m.

Respectfully submitted,

/S/
Kay Lunnon, City Secretary

/S/
Glenn Loch, Mayor